

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

RODNEY PERCOATS,

No. C 09-3022 WHA (PR)

Plaintiff,

ORDER OF DISMISSAL

v.

MARIN COUNTY SHERIFF
DEPARTMENT and SHERIFF
ROBER T. DOYLE,

(Docket Nos. 2 & 4)

Defendants.

This is a civil rights case brought pro se by a prisoner at the Marin County Jail. On the day the complaint was filed, the court notified plaintiff that his application for leave to proceed in forma pauperis ("IFP") was deficient because the certificate of funds was not completed and because plaintiff did not attach a copy of transactions in his inmate account as required by 28 U.S.C. 1915(b)(2). Plaintiff was informed that if he did not either pay the fee or correct the IFP application's deficiencies within thirty days the case would be dismissed.


Plaintiff filed a new IFP application in which he indicated that he had been at the jail for less than six months. The IFP application was incomplete because it did not include the Certificate of Funds or trust account statement. On August 20, 2009, plaintiff was ordered to file, within thirty days, a Certificate of Funds and trust account statement covering the period of time he has been at the jail. He was cautioned that his failure to do so would result in the dismissal of this matter. No response has been received.

1 Accordingly, the instant action is hereby **DISMISSED** without prejudice to refile in an
2 action in which plaintiff either pays the filing fee or files a completed IFP application.

3 The clerk shall close the file and terminate the pending incomplete IFP applications
4 (document numbers 2 and 4 on the docket).

5 **IT IS SO ORDERED.**

6 Dated: October 1, 2009.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE